

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	
William F. McKay)	Before the Examiner
Serial No. 10/666,900)	
September 18, 2003)	Group Art Unit 3738
NATURAL TISSUE DEVICES AND)	
METHODS OF IMPLANTATION)	April 19, 2004

INFORMATION DISCLOSURE STATEMENT

Mail Stop DD Hon. Assistant Commissioner for Patents Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. §1.56, Applicant wishes to bring to the attention of the Examiner the items of information listed on the enclosed PTO Form SB/08A and/or SB08B (1449). This information has not been previously submitted in this application, and has not been heretofore cited by the Examiner.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

April 19, 2004

(Date of Deposit) Timothy N. Thomas

Name of Registered Representative

Signature April 19, 2004

Date of Signature

Page 1 of 2

The identified information, taken alone or in combination with other art, provides information relating to the subject matter of the invention, but fails to teach, disclose or suggest the present invention. The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

This Statement is being submitted prior to the mailing of any Office Action on the merits. It is believed that no fee is required for consideration of the submitted items. Should any fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

Timothy N. Thomas, Reg. No. 35,714 WOODARD EMHARDT MORIARTY

MCNETT & HENRY

3700 Bank One Center Tower

111 Monument Circle

Indianapolis, IN 46204-5137

(317) 634-3456 telephone

(317) 637-7561 facsimile

Approved for use through 10/31/2002. CMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE O.S. Faterit and Traubilian Onice. O.S. Der ACTIMENT OF COMMERCE

te for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known 10/666,900 **Application Number** September 18, 2003 Filing Date Wm. F. McKay First Named Inventor Group Art Unit Examiner Name

(use as many sheets as necessary)

4002-3376/PC445.00 Attorney Docket Number Sheet

·		Document Number	Publication Date	T DOCUMENTS Name of Patentee or	Pages, Columns, Lines where Relevant Passages or Relevant
Examiner Initials*	Cite No.¹	Number-Kind Code ² (If known)	MM-DD-YYYY	Application of Cited Document	Figures Apcear
	1	US-3,551,560	12/1970	Thiele	
	2	US-3,855,638	12/1974	Pilliar	
	3	US-3,875,595	4/1975	Froning	
	4	US-4,060,081	11/1977	Yannas et al.	
	5	US-4,085,466	4/1978	Goodfellow et al.	
	6	US-4,280,954	7/1981	Yannas et al.	
	7	US-4,344,193	8/1982	Kenny	
	8	US-4,349,921	9/1382	Kuntz	
	9	US-4,350,629	9/1982	Yannas et al.	
	10	US-4,378,224	3/1983	Nimni et al.	
	11	US-4,400,833	8/1983	Kurland	
	12	US-4,418,691	12/1983	Yannas et al.	
	13	US-4,448,718	5/1984	Yannas et al.	
	14	US-4,458,678	7/1984	Yannas et al.	
<u> </u>	15	US-4,505,266	3/1985	Yannas et al.	
 	16	US-4,544,516	10/1985	Hughes et al.	
	17	US-4,578,079	3/1986	Ruoslahti et al.	
	18	US-4,589,881	5/1986	Pierschbacher et al.	

Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	1
Initials*	No.	Country Code ³ -Number ⁴ -Kind Code ³ (if known)	Hill But I I I	Document		Ī
- ;	1	G301515963	06/1978			+-
	2	EP00305026	03/1988			+-
	3	EP00277678	10/1988			┼
	4	WO08910728	11/1989			+
	 -					十
						+
						十
	 	:				

		Date	
Examiner		Considered	
Signature			and salesy superior in 1900.
	with MPEP 609. Draw line through	gh citation if not in	conformance and not considered.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw time through citation if not in conformation

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.s. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Applicant's unique citation lesignation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document by the two-letter role (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of document. Nind of document by the applicant is to place a check mark the patent document. Standard ST.16 if possible. Applicant is to place a check mark the Patent document. The provides its analysis.

WEMMH/SB-08A (4/03)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Order the Paper No. C.		Complete if Known
Substitute for form 1449A/PTO	Application Number	10/666,900
INFORMATION DISCLOSURE	Filing Date	September 18, 2003
STATEMENT BY APPLICANT	First Named Inventor	McKay
• · · · · · · · · · · · · · · · · · · ·	Group Art Unit	3738
(use as many sheets as necessary)	Examiner Name	
Shoot 2 of 6	Attorney Docket Number	4002-3376/PC445.00

2

Sheet

Examiner	Cite	Document Number	Publication Date	T DOCUMENTS Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
Initials*	No.'	Number-Kind Code ² (If known)			
	19	US-4,614,794	9/1986	Easton et al.	
	20	US-4,627,853	12/1986	Campbell et al.	
	21	US-4,642,120	2/1987	Nevo et al.	
	22	US-4,661,111	4/1987	Ruoslahti et al.	
	23	US-4,772,287	9/1988	Ray et al.	
	24	US-4,787,900	11/1988	Yannas	
	25	US-4,801,299	1/1989	Brendel et al.	
	26	US-4,837,285	6/1989	Berg et al.	
	27	US-4,879,135	11/1989	Greco et al.	
	28	US-4,880,492	11/1989	Erdmann et al.	
	29	US 4,904,260	02/1990	Ray et al.	
	30	US-4,946,792	8/1990	O'Leary	
	31	US-4,976,733	12/1990	Giradot	
	32	US-5,007,934	4/1991	Stone	
	33	US-5,067,962	11/1991	Campbell et al.	
	34	US-5,108,438	4/1992	Stone	
	35	US-5,229,497	7/1993	Boni	
	36	US-5,258,043	11/1993	Stone	

xaminer	Cite	Foreign Patent Document	Publication Sate MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	1
Initials* No. Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) MM-DD-YY				1		
				;		╁
				•		1
				1	1	ı
				<u> </u>		†
						+
				:		l
				!	<u> </u>	Ť
						4
					1	1
	1			<u>!</u>		1
				1		┙

Examiner		Date Considered	
Signature	if it reference considered, whether or not citation is in conformance with Street box, Draw line	Erough dictation it not in	conformance and not considered. Include
EVANINER: initi.	if reference considered, whether or not citation is in comormance with the	-	

Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at waste uspto 200 or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WPO Standard ST.3). For Japanese patent documents, the Indication of the year of the reign of the emperor must precede the serial number of document. Kind of Jocument by the applicant is to place a check mark the patent document. Kind of Jocument by the applying the symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark the patent document by the applying the symbols as indicated on the document under WIPO Standard ST.16 if possible.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. U.s. Patent and Trademark Office. Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450. Aexandria, VA 22313-1450.

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

	Paperwork Reducit			Complete if Known				
Substitute fi	for form 1449A/F	OTO		Application Number	10/666,900			
INFORMATION DISCLOSURE			LOSURE	Filing Date	September 18, 2003			
STA	STATEMENT BY APPLICANT			First Named Inventor	McKay			
				Group Art Unit	3738			
(use as many sheets as necessary)				Examiner Name				
Sheet		of	6	Attornev Docket Number	4002-3376/PC445.00			

Examiner Initials*	Cite No.	Document Number Number-Kind Code ² (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
NOS.	<u>} </u>	US-5,507,810	04/1996	Prewett et al.	
	37	US-5,607,476	04/1997	Prewett et al.	
	38	US 5,713,959	02/1998	Bartlett et al.	
	39	US 5,733,337	03/1998	Carr, Jr. et al.	
	40	US 5,922,028	07/1999	Plouhar et al.	
	41	US 5,964,807	10/1999	Gan et al.	
	42		11/1999	Sharkey et al.	
	43	US 5,980,504	12/1999	Sharkey et al.	
	44	US 6,007,570	02/2000	Yaccarino, III	
	45	US 6,025,538	06/2000	Sharkey et al.	
	46	US 6,073,051	06/2000	Kandel et al.	
	47	US 6,077,989	06/2000	Pachence et al.	
	48	US 6,080,194	 	Sharkey et al.	
	49	US 6,095,149	08/2000	Sharkey et al.	
	50	US 6,099,514	08/2000		
	51	US 6,122,549	09/2000	Sharkey et al.	
	52	US 6,123,731	09/2000	Boyce et al.	+
	53	US 6,126,682	10/2000	Sharkey et al.	<u> </u>
	54	US 6,140,452	10/2000	Felt et al.	

		Foreign Patent Document	Publication Date	Name of Patentee or Application of Cited	Pages, Columns, Lines, Where Relevant Passages or Relevant	Т
Examiner Ci	Cite No.¹	Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY	Document	Figures Appear	┝
						╀
						↓-
						L
						Τ
						十
						╀
	 					+
	 					
				<u> </u>		T
						T
						-

	:		Date Considered	
Exam	mer		Considered	ļ
Signa	ture	and an applyment with MPEF 609, Driw line through	residence of polying	conformance and pol considered. Include
ı		the discourance with MPTP 609, Draw line through	en changen in nor in	

ECOMINER. Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation it not in conformance and not considered. Inc

Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www against of MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of document, by the two-letter code (WIPO Standard ST.3). For Japanese patent document under WIPO Standard ST.16 if possible. Applicant is to place a check mark the patent document. This is a proposed to the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark the patent document. The patent document under WIPO Standard ST.16 if possible and the patent document under WIPO Standa

WEMMH/SB/08A (4/03)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid CMB control number Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.s. Patent and Trademark Office. Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450. Alexandria, VA 22313-1450.

IPLETED FORMS				Complete if Known				
Substitute for	r form 1449 <i>F</i>	√ PTO		Application Number	10/666,900 September 18, 2003 McKay			
INFOF	OITAME	N DISCLO	OSURE	Filing Date				
STAT	EMENT L	BY APPL	.ICANT	First Named Inventor				
				Group Art Unit	3738			
(use	as many sh	neets as nece	essary)	Examiner Name				
Sheet	4	of	6	Attornev Docket Number	4002-3376/PC445.00			

Examiner	Cite	Document Number	Publication Date	T DOCUMENTS Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant
Initials*	No.	Number-Kind Code ² (If known)	MM-DD-YYYY	Application of Cited Document	Figures Appear
	55	US 6,146,422	11/2000	Lawson	
	56	US 6,176,880	01/2001	Plouhar et al.	
	57	US 6,224,630	05/2001	Bao et al.	
	58	US 6,240,926	06/2001	Chin Gan et al.	
·	59	US 6,261,311	07/2001	Sharkey et al.	
	60	US 6,264,695	07/2001	Stoy	
	61	US 6,290,715	09/2001	Sharkey et al.	
	62	US 6,306,169	10/2001	Lee et al.	
	63	US 6,306,177	10/2001	Felt et al.	
	64	US 6,322,786	11/2001	Anderson	
	65	US 6,340,369	01/2002	Ferree	
	66	US 6,344,058	02/2002	Ferree	
	67	US 6,352,557	03/2002	Ferree	
	68	US 6,352,558	03/2002	Spector	
	69	2002/0038150	03/2002	Urry	
	70	US 6,402,784	06/2002	Wardlaw	,
	71	US 6,425,919	07/2002	Lambrecht	
	72	US 6,428,576	08/2002	Haldimann	

Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or Application of Cited	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	7
	No.1	Country Code ³ -Number ⁴ -Kind Code ³ (If known)	MM-DD-YYYY	Document	Figures Appear	╁
						╁
						╁
						╀
						+
						4
		·				1
	<u> </u>					\perp
						T
	1			<u> </u>	<u> </u>	<u></u>

_		 		
•		Date		
1	Examiner	Considered		ı
1	Signature	a di recon il heli n	conformance and not considered. Include	,

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 509. Draw line through exterior if not in conformance and act considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uszto.sov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the emperor must precede the serial number of the patent document. ³ Kind of document by the applycopriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁴ Applicant is to place a check mark here if English language Translation is attached.

WEMMH/SB/C8A (4/03)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. U.s. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR time you are required to complete this form should be sent to the Chief Information Officer. U.s. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR 004002-002624.BRENDA.266216 COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450. Alexandria, VA 22313-1450. Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. U.s. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR time you are required to complete this form should be sent to the Chief Information Officer. U.s. Patent and Trademark Office, Washington, DC 20231. 004002-002624.BRENDA.266216 COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

				Complete if Known				
Substitute	e for form 1449A/	PIO		Application Number	10/666.900			
INF	ORMATION	DISCL	OSURE	Filing Date	September 18, 2003			
STA	ATEMENT B	Y APPI	LICANT	First Named Inventor	McKay			
				Group Art Unit	3738			
(1	use as many she	ets as nec	essary)	Examiner Name				
Sheet	5	of	6	Attorney Docket Number	4002-3376/PC445.00			

Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (If known)	Publication Date MM-DD-YYYY	T DOCUMENTS Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	73	2002/0116069	08/2002	Urry	
	-				

Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ³ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	₹*
-						\perp
				 		T
						T
}				!		十
						+
						+
	H					1

		Date	
	1	Date	
Examiner	1		
Examine	· · · · · · · · · · · · · · · · · · ·	Considered	
		••••••	
Signature	l l		
0.9.14.0.0	1		onformance and not considered. Include
ł I		b white an it not in	antormance and not considered. Merses

Lindar the	Panerwork Reduction	en Act of	1995, no persons are	U.S. Patent and required to respond to a collection of	WEMMH/SB/08A (4/03) Approved for use through 10/31/2002. OMB 0651-0031 Trademark Office: U.S. DEPARTMENT OF COMMERCE information unless it contains a valid CMB control number	
Onder ind					Complete if Known	
Substitute	Substitute for form 1449B/PTO		Application Number	10/666,900		
INFO	RMATION	DISC	LOSURE	Filing Date	September 18, 2003	
STA	TEMENT B	Y AP	PLICANT	First Named Inventor	МсКау	
				Group Art Unit	3738	
(<i>u</i> :	se as many shee	ets as r	ecessary)	Examiner Name		
Sheet	6	of	6	Attorney Docket Number	4002-3376/PC445-00	

Sheet		6	Of	0	1		DOCKELL				PL445.00	
	4	OT	HER	PRIOR AR	T - NO	ON PATE	ENT LIT	RATUR	RE DOC	UMENT	S	
Examiner Initials*	Cite No.1	include name serial,	of the	author (in CAPIT ium, catalog, etc	AL LET	TERS), title page(s), vo	of the article lume-issue i	(when appr number(s) pu	propriate), publisher o	title of the ite	em (book, magazine, journal, untry where published	T²
				ntout from w								
i												_
				·								
									·			_
	<u> </u>											
	<u> </u>											-
											4.	
												_ _
	†											
		 										
	+											
Examine	<u> </u>									ate onsidered		
Signatur	e											

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. U.S. Patent and Trademark Office. Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents. P.O. Box 1450, Alexandria, VA 22313-1450.

Applicant's unique citation designation number (optional). 2 Applicant is to place a theck mark here if English language Translation is attached.